

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
(NORFOLK DIVISION)**

**DOUGLAS SHEPHERD, ALAN G. AND :  
DELORES N. BARTEL, L.P., and :  
1400 HAMPTON BLVD., LLC, :**

**Plaintiff :**

**v. :**

**Case Number 2:10cv343**

**NATIONWIDE MUTUAL INSURANCE :  
COMPANY :**

**and :**

**1400 HAMPTON BOULEVARD :  
CONDOMINIUM ASSOCIATION, INC. :**

**Defendants :**

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**NATIONWIDE MUTUAL INSURANCE :  
COMPANY :**

**Plaintiff :**

**v. :**

**Case Number 2:10cv310**

**DOUGLAS SHEPHERD :**

**and :**

**ALAN G. AND :  
DELORES N. BARTEL, L.P., :**

**and :**

**1400 HAMPTON BLVD., LLC,** :  
 :  
**and** :  
 :  
**1400 HAMPTON BOULEVARD** :  
**CONDOMINIUM ASSOCIATION, INC.** :  
 :  
 :  
**Defendants** :

**MOTION TO CONSOLIDATE**

COMES NOW Plaintiff/Defendant Nationwide Mutual Insurance Company  
("Nationwide"), by counsel, and pursuant to Rule 42 of the Federal Rules of Civil  
Procedure, as follows:

Plaintiff/Defendant requests that the Court consolidate the above styled action,  
Douglas Shepherd, et al v. Nationwide Mutual Insurance Company, et al, Case Number, with  
Nationwide Mutual Insurance Company v. 1400 Hampton Blvd, LLC, et al, Case Number  
2:10cv310. Both actions involve the same parties, common questions of law and facts, and  
both actions seek the same determination of coverage under the same insurance policy.

WHEREFORE, Nationwide moves this Court to consolidate these two cases for  
hearing, trial, and any and all matters at issue.

NATIONWIDE MUTUAL INSURANCE  
COMPANY  
By Counsel

/s/ Wayne F. Cyron  
Wayne F. Cyron, Esquire  
Va. Bar No. 12220  
CYRON & MILLER  
100 N. Pitt Street, Suite 200  
Alexandria, Virginia 22314-3134  
703-299-0600 Telephone  
703-299-0603 Facsimile  
wcyron@cyronmiller.com

/s/ James G. Smalley  
James G. Smalley, Esq.  
Va. Bar No. 20292  
CYRON & MILLER  
100 N. Pitt Street, Suite 200  
Alexandria, Virginia 22314-3134  
703-299-0600 Telephone  
703-299-0603 Facsimile  
[jsmalley@cyronmiller.com](mailto:jsmalley@cyronmiller.com)

Counsel for Defendant Nationwide Mutual Insurance Company

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 21<sup>st</sup> day of July, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

Randolph C. DuVall, Esq.  
Darlene P. Bradberry, Esq.  
Breedon, Salb, Beasley & DuVall, P.L.C.  
555 East Main Street  
Suite 1210  
Norfolk, VA 23510  
Counsel for Defendants

/s/ James G. Smalley  
James G. Smalley, Esquire  
Va. Bar No. 20292  
CYRON & MILLER  
100 N. Pitt Street, Suite 200  
Alexandria, Virginia 22314-3134  
703-299-0600 Telephone  
703-299-0603 Facsimile  
[jsmalley@cyronmiller.com](mailto:jsmalley@cyronmiller.com)

